

Sixth Appellate District

San Jose, California

TUESDAY, DECEMBER 27, 2005

(no minute approved orders)

WEDNESDAY, DECEMBER 28, 2005

H027781 PEOPLE v. KENT

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)
Filed December 28, 2005

H027786 PEOPLE v. RUBALCAVA

The judgment is affirmed. (not published)
(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)
Filed December 28, 2005

H028644 In re REYES on Habeas Corpus

The case is remanded to the trial court for modification of its order to the extent it determined that the Board's denial of parole constituted a violation of Reyes's plea bargain. As modified, the court's order granting Reyes's petition for habeas corpus and remanding the matter to the Board to conduct a new hearing in accordance with due process, is affirmed. On remand, the Board is directed to reconsider its decision in light of views expressed herein. (not published)
(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)
Filed December 28, 2005

H028776 PEOPLE v. AGUDA

The judgment is reversed. The matter is remanded to the trial court with instructions to vacate its previous order that directed appellant to pay \$200 in attorney fees and to conduct further proceedings to determine appellant's ability to pay pursuant to Penal Code section 987.8. The court may impose a new order to pay attorney fees if it determines that appellant has the ability to pay. (not published)
(Elia, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)
Filed December 28, 2005

H028002 SOLARTE v. WASHINGTON MUTUAL BANK, et al.

By the Court*:

Appellant's petition for rehearing is denied.
Filed: December 28, 2005

*Before Rushing, P.J., Premo, J. and Duffy, J.

Sixth Appellate District

San Jose, California

THURSDAY, DECEMBER 29, 2005

H028740 PEOPLE v. O'BRIEN

The judgment is reversed and the matter is remanded for the limited purpose of reconsideration of defendant's motion to strike his prior strike. If the court grants the motion, it shall resentence defendant accordingly. If the trial court denies the motion, it shall reinstate the judgment. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed December 29, 2005

H029166 In re N.S.; D.F.C.S. v. CHERYL S.

The order of August 5, 2005, terminating parental rights is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Duffy, J.)

Filed December 29, 2005

H028560 PEOPLE v. JURADO

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed December 29, 2005

H027693 VARGAS, et al. v. CITY OF SALINAS, et al.

The order granting defendants' special motion to strike plaintiffs' complaint is affirmed. (published)

(McAdams, J.; We concur: Rushing, P.J., Mihara, J.)
Filed December 29, 2005

FRIDAY, DECEMBER 30, 2005

H029405 In re the Marriage of HOWES & ZELLERBACH

The appeal is dismissed as untimely. (not published)

(Rushing, P.J.; We concur: McAdams, J., Duffy, J.)
Filed December 30, 2005